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SW

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,804	02/20/2002	Odd N. Oddsen JR.	INNOFF 3.0-010 DIV	7926
530	7590	11/19/2003	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			KING, ANITA M	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

# Office Action Summary

Application No.

10/079,804

Applicant(s)

ODDSEN, ODD N.

Examiner

Anita M. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 22-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22,25,30,33,34,41,44 and 47 is/are rejected.
- 7) ☒ Claim(s) 23,24,26-29,31,32,35-40,42,43,45,46,48 and 49 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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This is the third office action for application number 10/079,804, Arm Apparatus for Mounting Electronic Devices with Cable Management System, filed on February 20, 2002. This application is a divisional of application number 09/406,006, filed September 24, 1999.

### ***Drawings***

The drawings are objected to the lead line for reference number "132" in Fig. 11A (right side) appears to be referring to the wrong element. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings were received on August 29, 2003. These drawings are approved.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Cancellation of Claims***

Claims 1-21 have been canceled per applicant's request in Paper no. 5, dated December 10, 2002.

### ***Claim Objections***

Claims 22 and 34 are objected to because of the following informalities: in lines 6 and 8 of claim 22 "a" should be changed to --the-- or --said-- in view of the recitation of "first and second ends" cited in line 5 of claim 22 and in lines 8 and 16 of claim 34, "a" should be changed to --the-- or --said--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22, 25, 30, 33, 34, 41, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,379,205 to Peng. Peng discloses a forearm extension (1) for use in an extension arm that adjustable mounts a device, however capable of mounting an electronic device, to a support mount and conceals cables (5) to and from the device within the forearm extension, the forearm extension comprising: a hollow body (see Fig. 3) having first and second ends; means (2) disposed at the second end of the body for attaching a device; a coupling (11) disposed at the first end of the body, the coupling having a slot (13 in Fig. 2) formed in a wall thereof, the wall defining an enclosed region having an open bottom end so that the enclosed region of

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the coupling and the body are in communication with each other through the slot, whereby a cable is adapted for passage upward through (see Fig. 1) the open bottom end into the enclosed region, through the slot and into the hollow body; wherein the coupling comprises a second end coupling and the means for attaching comprises a first end coupling; wherein a centerline of the first end coupling and a centerline of the second end coupling are aligned with a longitudinal centerline of the body; wherein the body is horizontally disposed between the first end coupling and the second end coupling when the first end coupling and the second end coupling are disposed such that an axial centerline of each is vertical.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peng in view of U.S. Patent 4,708,312 to Rohr. Peng further discloses a forearm extension for holding an electrical device such as a wall lamp. Peng discloses the claimed invention except for the limitation of the device being an electronic device. Rohr teaches that it is known in the extension arm art to have an arm having a hollow body and cables (13) for passing through the hollow body for connection to a video display apparatus. It would have been obvious to one having ordinary skill in the art at the time the invention was

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made to have modified the device being supported in Peng to have been an electronic device as taught by Rohr for the purpose of providing a means for supporting an electronic device in relation to a horizontal wall surface.

***Allowable Subject Matter***

Claims 23, 24, 26-29, 31, 32, 35-40, 42, 43, 45, 46, 48, and 49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,459,650 to Pike

Pike discloses a wall mounted swivel lamp swivel arm assembly having a passageway disposed within the arm assembly for accommodating wires or cables.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within


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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

  
Anita M. King  
Primary Examiner  
Art Unit 3632

November 16, 2003